

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JAMES H. GORBEY, JR., Administrator of the Estate of Marissa Rose Fishman, Deceased,	:	
	:	
	:	
Plaintiff	:	Civil Action No. 05-211-MPT
vs.	:	
	:	
RICHARD LONGWILL, BARBARA LONGWILL, ASHLAND CONSTRUCTION CO., INC. and VINCENT RIZZO	:	
	:	
Defendants.	:	<u>JURY TRIAL DEMANDED</u>
	:	
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STIPULATION TO AMEND CAPTION

1. James H Gorbey, Jr., Esquire was appointed Administrator of the Estate of Marissa Rose Fishman, deceased on or about September 23, 2003.
2. This action was commenced by James H. Gorbey, Jr., as Administrator of the Estate of Marissa Rose Fishman, deceased on March 16, 2004 in the Court of Common Pleas of Philadelphia County, Pennsylvania.
3. On or about August 18, 2004, this matter was transferred to the United States District Court of Pennsylvania and an Amended Complaint was filed by James H. Gorbey, Jr., as Administrator of the Estate of Marissa Rose Fishman, deceased.
4. By Stipulation and Order of the Court, on or about March 4, 2005, this matter was transferred to the United States District Court of Delaware and an Amended Complaint was filed by James H. Gorbey, Jr., as Administrator of the Estate of Marissa Rose Fishman, deceased on May 4, 2007.
5. James H. Gorbey, Jr., Esquire passed away on August 1, 2007.
6. Timothy J. Gorbey, Esquire has been appointed as Administrator, d.b.n. of the

Estate of Marissa Rose Fishman, deceased. See Order and Affidavit of Granting Letters of Administration attached hereto as Exhibit A.

7. In light of the foregoing, it is hereby stipulated by and among all parties, through their undersigned counsel, that the caption in the instant matter shall be amended to read:

Timothy J. Gorbey, Administrator, d.b.n., of the Estate of Marissa Rose Fishman, deceased vs. Richard Longwill, Barbara Longwill, Ashland Construction Co., Inc. and Vincent Rizzo.

KLINE & SPECTER
A Professional Corporation

/s/ Jonathan M. Cohen
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DATED: 4/1/08